



*Office of the United States Attorney  
District of Arizona*

FOR IMMEDIATE RELEASE  
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## **GILBERT MAN INDICTED FOR THEFT OF U.S. PROPERTY**

PHOENIX- A federal grand jury here returned a 36-count indictment against Robert Lamoine Gunnell, 40, of Gilbert, Ariz., for violations of Theft of Government Property and Making False Claims to the Commodity Credit Corporation (CCC) of the U.S. Department of Agriculture (USDA). Gunnell has been summoned to appear for an arraignment on the charges on December 21, 2005 before a U.S. Magistrate Judge who will set a trial date before U.S. District Judge Roslyn O. Silver.

The indictment states that Gunnell operated International Export Management, Inc., a company engaged in the marketing of U.S. agricultural products in foreign countries. Gunnell is alleged to have received through his company, from the CCC Market Access Program, in excess of \$585,000 by filing false claims for reimbursement of advertising and promotional expenses for U.S. agricultural products in Mexico. The indictment further alleges that Gunnell sent to the Western United States Agricultural Trade Association (WUSATA), as the servicing agency for the CCC, false invoices and altered checks as proof of his payment of his advertising expenses for U.S. agricultural products in Mexico. The CCC Market Access Program provides U.S. companies a reimbursement of one half of those expenses.

In addition the indictment also alleges that during November 2003 to March 2004, Gunnell through his company, filed five false claims for reimbursement of \$123,047 advertising and promotion expenses for U.S. agricultural products in Brazil. These false claims were also accompanied by proof of payment in the form of invoices from a nonexistent Brazilian company and altered checks. However, the frauds were discovered during the processing of these claims by WUSATA and as a result Gunnell was denied payment on these claims.

A conviction for each count of Theft of Government Property carries a maximum penalty of 10 years in prison, a \$250,000 fine or both. Each count of the crime of Making False Claims to the Commodity Credit Corporation carries a maximum penalty of five years in prison, a \$250,000 or both. In determining an actual sentence, Judge Silver will consult the U.S. Sentencing Guidelines, which provides appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by Special Agents of the Office of the Inspector General of the U.S. Department of Agriculture. The prosecution is being handled by Richard I. Mesh, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBER: CR-05-1294-PHX-ROS  
RELEASE NUMBER: 2005-220(Gunnell)

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